

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

CHELSEA LINTON,)	CIV. 09-5099-JLV
)	
Plaintiff,)	ORDER DENYING AS
)	PREMATURE PLAINTIFF'S
vs.)	MOTION FOR JURY
)	INSTRUCTION
)	
ANGIE'S INC., BELLE STARR)	
SALOON & CASINO, INC., and)	
JASON ORLEUP,)	
)	
Defendants.)	

Plaintiff Chelsea Linton moves the court to instruct the jury on South Dakota Civil Pattern Jury Instruction 1-30-120, which concerns spoliation of evidence. (Docket 45). The motion is premature as this case is not ripe for trial. Accordingly, it is hereby

ORDERED that Ms. Linton's motion (Docket 45) is denied as premature.

Dated May 15, 2012.

BY THE COURT:

/s/ Jeffrey L. Viken

JEFFREY L. VIKEN
UNITED STATES DISTRICT JUDGE